

PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 66721

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 00-6360-CR-WPD

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Ramon Villares

Name of Sentencing Judicial Officer: The Honorable William P. Dimitrouleas, U.S. District Judge,
Fort Lauderdale, Florida

Date of Original Sentence: June 22, 2001

Original Offense: Receiving and Possessing Stolen Goods Valued in Excess of \$1,000 From Interstate or Foreign Shipment of Freight, in violation of Title 18, U.S.C. § 659, a Class C felony.

Original Sentence: One (1) year and one (1) day custody of the United States Bureau of Prisons, followed by three (3) years supervised release, with the following special conditions: The defendant shall provide complete access to financial information, including disclosure of all business and personal finances, to the U.S. Probation Officer. The defendant shall maintain full-time, legitimate employment and not be unemployed for a term of more than 30 days, unless excused by the U.S. Probation Officer. Further, the defendant shall provide documentation, including but not limited to, pay stubs, contractual agreements, W-2 Wage and Earnings Statements, and any other documents requested by the U.S. Probation Office. Restitution was ordered in the sum of \$174,435.40, and a \$100 assessment fee was imposed.

Type of Supervision: Supervised Release

Date Supervision Commenced: April 19, 2002

PETITIONING THE COURT

- ☐ To extend the term of supervision for __ years, for a total term of __ years.
☒ To modify the conditions of supervision as follows:

The defendant shall pay restitution at a rate of \$100.00 per month until such time as the Court may alter the payment schedule in the interests of justice. The U.S. Probation Office and the U.S. Attorney's Office shall monitor the payment of restitution and report to the Court any material change in the defendant's ability to pay.

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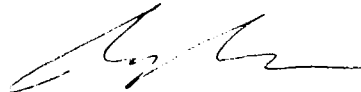
CAUSE

- I. **Violation of Mandatory Condition**, by failing to satisfy the court-ordered financial obligation. On June 22, 2001, the Court ordered the defendant to make a lump sum payment of \$174,535.40 (\$174,435.40 restitution plus \$100 special assessment) due immediately. The defendant failed to satisfy this financial obligation as instructed.

A financial investigation was conducted to determine the defendant's ability to make monthly restitution payments. The report was compared to the documentation provided by the defendant and based on that information, the defendant is unable to satisfy the \$174,535.40 lump sum payment previously imposed. Based on the defendant's current financial situation, a \$100.00 monthly payment appears to be a more realistic schedule for the defendant. Therefore, we are respectfully requesting an adjustment in the payment schedule to \$100.00 monthly. The defendant has agreed to begin payment of \$100.00 per month commencing on November 1, 2003 and every month thereafter. Attached for Your Honor's review is the Probation Form 49, Waiver of Hearing to Modify the Conditions of Supervised Release to include the monthly restitution payment schedule be set at \$100.00. Should Your Honor be in agreement with this recommendation, please indicate below.

Respectfully submitted,

by

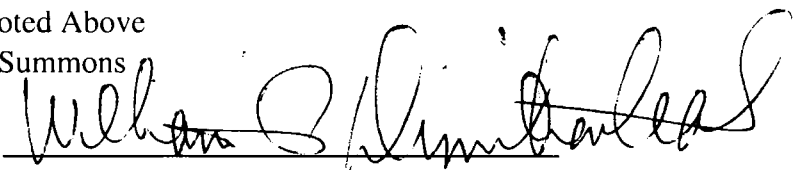


Rogelio A. De Sedas
U.S. Probation Officer
Phone: (305) 808-6407
Date: December 4, 2003

MP

THE COURT ORDERS:

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Submit a Request for _ Warrant or _ Summons


Signature of Judicial Officer


Date